

to the very "platform" on which Messrs. Dix and Niles stood when they laughed at them.

THE NATIONAL ERA.

WASHINGTON, JULY 25, 1850.

MR. MANN'S LETTERS.

The first of Mr. Mann's letters in relation to Mr. Webster and his position has already been published in our paper. The second, addressed originally to the *Boston Atlas*, appears on our outside pages this week. Appended to it are copies of the letter by the author, which appear now for the first time. The Letter and Notes are able and brilliant.

MR. BENTON'S SPEECH.

We had intended to publish this week Mr. Benton's strong and severe speech in support of his amendment to the Compromise bill, respecting the boundary of New Mexico, but must lay it over till next week.

CORRESPONDENTS.

In a short time we expect to be able to yield more space to our correspondents. We have any quantity of prose and poetry, some of it excellent, the authors of which, we are sure, will pardon us for keeping them so long in waiting. But, so deep and general is the interest excited by the slavery debates in Congress, we should be held inexcusable did we not furnish our readers with some of the ablest of the speeches delivered.

RENEWING SUBSCRIPTIONS.

We hope each old subscriber, as his subscription closes, will remember that by sending us five dollars, he may renew his own subscription, and secure two copies of the paper besides, for new subscribers.

"SKETCHES OF OUR VILLAGE."

We ask attention to the series of animated, most agreeable sketches, the first of which we publish in this week's paper. They are from the pen of MARTHA RUSSELL, already a favorite with our readers.

It will be seen, by reference to our advertisements, that persons in various parts of the States, having legal claims to be acknowledged, depositions taken, &c., in the city of Cincinnati, can have them attended to at the office of Birney & Peirce. We are confident that everything of the kind committed to them will be promptly attended to.

CONGRESS ON TUESDAY.

In the Senate, the report of the Committee of Thirteen being under consideration, several amendments were rejected, among them, one proposing to abrogate the Mexican laws, in the Territories. Some discussion arose between Messrs. Yulee and Foote, the latter vindicating himself against a charge of inconsistency brought by the former.

NEW CABINET.

The House refused to go into Committee of the Whole on the state of the Union, and proceeded to dispose of the business on the Speaker's table.

D. Webster, (Mass.) Secretary of State.

T. Corwin, (Ohio) Secretary of the Treasury.

J. A. Pearce, (Md.) Secretary of the Interior.

W. A. Graham, (N. C.) Secretary of the Navy.

E. Bates, (Mo.) Secretary of War.

N. K. Hall, (N. Y.) Postmaster General.

J. J. Crittenden, (Ky.) Attorney General.

The nominations were sent to the Senate last Saturday, and confirmed the same day in Executive session.

Sectionally viewed, there is nothing to complain of the President and three of his Cabinet being from the non-slaveholding States, and four from the slaveholding.

The West has a larger share than has generally fallen to her lot—furnishing three members. Three are taken from the Senate, and this we regard as unfortunate. Members of Congress ought to be ineligible to any office, during the term for which they are chosen, and for two years thereafter.

The Cabinet is an able one, and with a single exception, highly creditable to the President. It will doubtless sustain Mr. Fillmore in his adherence to the policy of General Taylor, and his maintenance of the rights of the United States against factional opposition.

But, what shall be said of the appointment of Mr. Webster to the State Department? We had hoped that Mr. Fillmore would not encumber himself with any of the tribe of politicians to which Mr. Webster belongs—and especially that he would not interpose between that gentleman and the constituency whose will he had so flagrantly disregarded. No matter on what conditions Mr. Webster goes into the Cabinet, no matter though pledged to maintain the Executive in the vindication of the rights of New Mexico, still the odium that attaches to him, in consequence of his desertion of a great measure, deeply cherished by his own State and the whole North, will be shared to some extent by the Cabinet of which he is a member.

Meanwhile, we shall not prejudice the Administration; there are members of it who are true to Freedom and the Constitution, and we hope their influence will predominate. We shall soon know the policy which the President intends to pursue. An answer must be given, promptly, to Texas, respecting the intentions of the Executive. Circumstances admit of no delay. New Mexico must be protected or abandoned by the United States—and the decision must be made at once. Have we a Government strong enough to discharge its constitutional duties, and compel submission to its acts, when those acts are recognized by the Constitution? This question is in the hands of President Fillmore.

CONGRESS DURING THE WEEK.

The House last week was chiefly occupied with the consideration of the report of the Committee on Elections, against the admission of Mr. Smith as a Delegate from New Mexico and Mr. Babbitt as a Delegate from Utah. The report was sustained, and admission refused to both gentlemen. The vote was chiefly a sectional one. Mr. Gentry being the only member from a slaveholding section voting for their admission. The South carried the day by the aid of its usual auxiliaries from the North, and of two or three Northern men, notwithstanding their general fidelity to the interests of Freedom, could not see their way clear to act with their associates on this particular question.

We hope the worthy Delegate from New Mexico will be able in time to take his place as a representative of the State of New Mexico.

In the Senate, the chances of the Compromise bill appear to decrease every day. From the time it was first introduced until last Friday, we were under the impression that it would pass that body, and be lost in the House. Since then, we have doubted whether it could work its way through the Senate. The Southern opposition to the bill is strong, and, apparently, sincere, and Mr. Clay seems more disposed to denounce Southern members than Northern.

Last week Mr. Benton delivered a powerful speech, in which he exposed with terrible severity the effect which the pecuniary consideration to be paid to Texas, was calculated to have, and he denounced the bill as sanctioning its way through the Senate. This speech will appear in our columns next week.

Mr. Clay, last Monday, addressed the Senate till near four o'clock, in a general defence of the bill against the attacks of all its opponents. He displayed much vigor and adroitness, uttered, as he is apt to do, many lofty sentiments, drew a fearful

picture of the perils of the country, and made the most fervent appeals to the moderate men of all sections to sacrifice their prejudices, their preconceived notions, themselves, upon the altar of Patriotism. Differ as we may with Mr. Clay, indignation as we often feel at his ingenuity in misrepresenting an opponent, or his overbearing demeanor towards him, we cannot but admire his boldness, his watchfulness, his readiness, his dexterity, his invincible determination, his great mental power.

In relation to the Compromise bill, it can no longer be said that its opponents are delaying action. For a long time past, they have been anxious to come to a test vote; repeatedly they moved to lay the bill upon the table—a motion which cuts off all debate—but as often have they been prevailed upon by the entreaties of their friends, to withdraw the motion, and await further amendment and discussion. Were its friends assured of its passage, they would not hesitate to try their strength, but they evidently consider the chances against them, and desire delay, in the hope that some amendment may be agreed upon, or some circumstance turn up, of encouraging augury.

The truth is, it is now doubtful whether there has been at any time since the report of the bill, a real majority in favor of it—so that it is not improbable that for five months a minority of the Senate has occupied its time with a measure, which, could a direct vote have been taken at any moment, might have been lost.

MR. WEBSTER ONCE MORE.

Mr. Webster made another effort last week in the Senate to sustain himself and save the Compromise bill, whose prospects, like those of his own, had become anything but flattering. The opponents of the measure, confident in their strength, desired to lay it upon the table, and a motion to that effect was made by Mr. Hale. The friends of the bill, alarmed, earnestly appealed to Mr. Hale to withdraw his motion. Mr. Webster at the same time signifying his desire to address the Senate in relation to it. Grace was extended to them, and the next day (Wednesday) Mr. Webster made a strong appeal in behalf of the bill. We have no room for his speech, nor is it necessary to republish it, as in the main it is a reproduction of the leading ideas of his great speech delivered in the early part of the discussion.

He assumed that the policy recommended by the late President and that embodied in the Compromise bill were not opposite, antagonistic to each other; but he did not prove his position. How could he? The former policy contemplates the admission of California alone, not making it depend upon any other measure. The latter contemplates the question of her admission with, and makes it dependent upon, other questions. The former, by abstaining from any effort to establish Territorial Governments, seeks to avoid the controversy concerning slavery, to leave the Wilmot Proviso, and would demand no sacrifice of opinion on the part of the North or South. The latter boldly meets the controversy, decides in favor of the South, by sacrificing the Wilmot Proviso in the establishment of Territorial Governments without it. The former virtually admits, what the latter denies, the expediency of admitting New Mexico as a State, so soon as her Representatives and Senators can reach here. The former contemplates the settlement of the question of boundary between Texas and New Mexico by the Supreme Court; the latter, by an act of Congress giving Texas some ten millions of dollars for her claim.

On every point, whether it respects California, New Mexico, or the Texas boundary question, the two plans are "antagonistic" to each other, and Mr. Webster, in supporting the Compromise of Mr. Clay, opposes the plan of General Taylor. Mr. Webster says, in the beginning of his speech:

"I have been careless whether the things necessary to be done were done in one bill or in separate bills, except that, as a matter of expediency, it has been my opinion from the beginning that it would be better to do them in one bill."

That was a matter of judgment upon the expediency of the measure, and not a question of principle. It seemed to be the general opinion of the Committee at that time, I thought, that it would be better to do them in one bill, and then take up the other measures.

Why did not the Committee adhere to that opinion? What were the reasons that induced them to change their policy? At all events, we have the unqualified declaration of Mr. Webster that it has been his opinion from the beginning that it would have been better to have proceeded merely by measure. How does this square with his argument and avowal, soon after, in favor of the expediency of supporting the bill which conglomerates these measures?

"If we admit California, my honorable friend from Illinois will then bring in a bill for Territorial Governments for New Mexico and Utah. We must open our eyes to the state of opinion in the two Houses respectively, and endeavor to force what would be the result of the admission of California, and then take up the other measures."

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It will be observed that this is an attack, not only upon the doctrine of legislative representation, but upon the very principle of representation. For, if legislators are to enact what laws they in their judgment may see fit, without any reference to the views of those who elected them, of what value is the right of representation? They rule, and not the People; representative government in fact ceases. We take it, that in this country, Government is of, and for, the people. The principle of self-government is recognized and sought to be secured by the Federal and State Constitutions: the assumption is, that the people understand their own interests, and the means necessary to promote them. Representatives are chosen to carry out, not to defeat these measures. The people of New York having made up their minds upon one line of policy, it is an audacious assumption that Daniel S. Dickinson has the right, as one of her Senators, to thwart their purposes. When he does so, he abuses his trust, he usurps power, he attempts to subjugate three million of people to his individual will.

Important questions are agitated during a political canvass. Parties are arrayed against each other upon them. The majority of the People elect a candidate, on the ground that he is prepared to advocate and vote for certain measures for the settlement of those questions. That he is bound to execute in these respects the will of those who elected him, we hold to be above all argument. Where they have indicated only the objects to be accomplished, without specifying the means, it is clearly left to his own discretion in the choice of the latter; and where new questions arise during the term for which he was elected, he is of course to decide for himself what policy ought to be pursued in relation to them, as no way is provided by which he can ascertain the will of his constituents concerning them. But, where the People of the District, who elected him, did so because they believed that he would support with all his ability certain great principles and measures, he is guilty of disloyalty, bad faith, practical falsehood, if he array himself against them, Guizot and Burke and the French Chamber of Deputies to the contrary notwithstanding. Of course, no honest man will assume representative obligations, unless fully persuaded of the rectitude of the measures he binds himself to execute. It speaks little for Mr. Webster's argument against the representative principle, that he is obliged to borrow his illustrations from the old, corrupt institutions of European countries. They will not recommend it in the eyes of American citizens.

Now as to Legislative instructions, binding especially upon Senators: we know not on what sound principle their obligatory force can be contested. If Senators were elected by the People, they could be bound as Representatives are now bound; but being chosen by the State Legislatures, they must be held responsible to the Legislature, or they are totally exempt from responsibility. The Legislature, representing the principles and policy of the State on certain great questions, elects Senators, known to concur with it in opinion. It is not to be supposed that they will vote against the measures which the Legislature has adopted, and which they are bound to support. If they do, they are rebels against their right: they are rebels against their sovereignty.

It will not do to assume that the People have judged the questions upon an *ex parte* hearing; the fair presumption is, that they have examined them on all sides, weighed opposing arguments, and decided deliberately and intelligently.

But, it sometimes happens that subjects of great importance arise during a Senator's term, which were not canvassed pending his election. Nobody disputes that, in the absence of instructions here, he might judge for himself. But, suppose the Legislature of his State take these subjects into consideration, and after due deliberation come to the conclusion that they should be disposed of in a certain manner. What then is the duty of a Senator? We will not say the obligation to obey instructions in this case is a perfect one, as in the former case—but, still it is a perfect one. He is not elected by the People, the members of the Legislature are, and it is to be expected, being elected while these subjects are under examination by the People, they embody the predominant sentiment. If the Senator has reason to believe that their resolves are hasty, the result of imperfect information, or that they misrepresent the People of his State, we will not say that he may not defer obedience to them till time has been given for reconsideration, in full view of all the facts of the subject. But, if, after such reconsideration, they reiterate their resolves, it seems to us that the only question is, shall the People, or one man govern? This is easily decided. He is the agent, not the principal: it is his duty to carry out the views of his principal, or, if these conflict with his own views of duty, to resign.

The Legislature of Illinois, at its session before the last, passed resolutions instructing the Senators from Illinois to vote for the Wilmot Proviso in the establishment of Territorial Governments. One of her Senators being under the impression that circumstances demanded a reconsideration of the instructions, presented reasons in favor of such a course at the last session, but the Legislature was not convinced—it maintained its ground. The result is, the Senators from Illinois, with a proper recognition of the right of the People to have their views embodied in the legislation of the country, feel themselves bound to vote as the resolutions direct.

The Legislature of Massachusetts, from year to year, has passed resolutions in favor of the restriction of slavery by positive enactment. This year it has done the same, seeing nothing in the change of circumstances, or in the views of any statesmen, or in the arguments of Mr. Webster, to convince it that its ground was untenable. It cannot be charged with being biased by local interests, or with being misled by calumnies.

Let it become, sir, an object of considerable importance in the history of this Government to inquire how far instructions given, *ex parte*, and under one state of circumstances, are to govern those who are to act under another state of circumstances, and not *ex parte*, but upon a bearing of the whole of the facts, and the proposition that a member of this Government, in giving a vote to bind all the country, is to take as his instructions the will of a small part of the country, whether in his own State or elsewhere, is one that is above or below all argument.

We, according to our notions and habits, think it is not allowable, but that it is the duty of a member of Congress to fulfill his instructions, given by his own people and a single district, and to stand by them, in the face of the glory, and the reproaches of twenty millions of people. As an instance of the various views taken of this subject as a question of morals, I would refer, or might refer, to what happened in the Chambers of Representatives, when the honorable member from Michigan (Mr. Cass) was reading in Paris, but I believe shortly after his

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It will be observed that this is an attack, not only upon the doctrine of legislative representation, but upon the very principle of representation. For, if legislators are to enact what laws they in their judgment may see fit, without any reference to the views of those who elected them, of what value is the right of representation? They rule, and not the People; representative government in fact ceases. We take it, that in this country, Government is of, and for, the people. The principle of self-government is recognized and sought to be secured by the Federal and State Constitutions: the assumption is, that the people understand their own interests, and the means necessary to promote them. Representatives are chosen to carry out, not to defeat these measures. The people of New York having made up their minds upon one line of policy, it is an audacious assumption that Daniel S. Dickinson has the right, as one of her Senators, to thwart their purposes. When he does so, he abuses his trust, he usurps power, he attempts to subjugate three million of people to his individual will.

Important questions are agitated during a political canvass. Parties are arrayed against each other upon them. The majority of the People elect a candidate, on the ground that he is prepared to advocate and vote for certain measures for the settlement of those questions. That he is bound to execute in these respects the will of those who elected him, we hold to be above all argument. Where they have indicated only the objects to be accomplished, without specifying the means, it is clearly left to his own discretion in the choice of the latter; and where new questions arise during the term for which he was elected, he is of course to decide for himself what policy ought to be pursued in relation to them, as no way is provided by which he can ascertain the will of his constituents concerning them. But, where the People of the District, who elected him, did so because they believed that he would support with all his ability certain great principles and measures, he is guilty of disloyalty, bad faith, practical falsehood, if he array himself against them, Guizot and Burke and the French Chamber of Deputies to the contrary notwithstanding. Of course, no honest man will assume representative obligations, unless fully persuaded of the rectitude of the measures he binds himself to execute. It speaks little for Mr. Webster's argument against the representative principle, that he is obliged to borrow his illustrations from the old, corrupt institutions of European countries. They will not recommend it in the eyes of American citizens.

Now as to Legislative instructions, binding especially upon Senators: we know not on what sound principle their obligatory force can be contested. If Senators were elected by the People, they could be bound as Representatives are now bound; but being chosen by the State Legislatures, they must be held responsible to the Legislature, or they are totally exempt from responsibility. The Legislature, representing the principles and policy of the State on certain great questions, elects Senators, known to concur with it in opinion. It is not to be supposed that they will vote against the measures which the Legislature has adopted, and which they are bound to support. If they do, they are rebels against their right: they are rebels against their sovereignty.

It will not do to assume that the People have judged the questions upon an *ex parte* hearing; the fair presumption is, that they have examined them on all sides, weighed opposing arguments, and decided deliberately and intelligently.

But, it sometimes happens that subjects of great importance arise during a Senator's term, which were not canvassed pending his election. Nobody disputes that, in the absence of instructions here, he might judge for himself. But, suppose the Legislature of his State take these subjects into consideration, and after due deliberation come to the conclusion that they should be disposed of in a certain manner. What then is the duty of a Senator? We will not say the obligation to obey instructions in this case is a perfect one, as in the former case—but, still it is a perfect one. He is not elected by the People, the members of the Legislature are, and it is to be expected, being elected while these subjects are under examination by the People, they embody the predominant sentiment. If the Senator has reason to believe that their resolves are hasty, the result of imperfect information, or that they misrepresent the People of his State, we will not say that he may not defer obedience to them till time has been given for reconsideration, in full view of all the facts of the subject. But, if, after such reconsideration, they reiterate their resolves, it seems to us that the only question is, shall the People, or one man govern? This is easily decided. He is the agent, not the principal: it is his duty to carry out the views of his principal, or, if these conflict with his own views of duty, to resign.

The Legislature of Illinois, at its session before the last, passed resolutions instructing the Senators from Illinois to vote for the Wilmot Proviso in the establishment of Territorial Governments. One of her Senators being under the impression that circumstances demanded a reconsideration of the instructions, presented reasons in favor of such a course at the last session, but the Legislature was not convinced—it maintained its ground. The result is, the Senators from Illinois, with a proper recognition of the right of the People to have their views embodied in the legislation of the country, feel themselves bound to vote as the resolutions direct.

The Legislature of Massachusetts, from year to year, has passed resolutions in favor of the restriction of slavery by positive enactment. This year it has done the same, seeing nothing in the change of circumstances, or in the views of any statesmen, or in the arguments of Mr. Webster, to convince it that its ground was untenable. It cannot be charged with being biased by local interests, or with being misled by calumnies.

Let it become, sir, an object of considerable importance in the history of this Government to inquire how far instructions given, *ex parte*, and under one state of circumstances, are to govern those who are to act under another state of circumstances, and not *ex parte*, but upon a bearing of the whole of the facts, and the proposition that a member of this Government, in giving a vote to bind all the country, is to take as his instructions the will of a small part of the country, whether in his own State or elsewhere, is one that is above or below all argument.

We, according to our notions and habits, think it is not allowable, but that it is the duty of a member of Congress to fulfill his instructions, given by his own people and a single district, and to stand by them, in the face of the glory, and the reproaches of twenty millions of people. As an instance of the various views taken of this subject as a question of morals, I would refer, or might refer, to what happened in the Chambers of Representatives, when the honorable member from Michigan (Mr. Cass) was reading in Paris, but I believe shortly after his